

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION**

DARIN CARL MARTIN,

Plaintiff,

v.

COMMISSIONER OF  
SOCIAL SECURITY,

Defendant.

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Case No. 14-10254

Hon. Gerald E. Rosen

Magistrate Judge R. Steven Whalen

**ORDER ADOPTING  
MAGISTRATE JUDGE'S REPORT AND RECOMMENDATION**

At a session of said Court, held in  
the U.S. Courthouse, Detroit, Michigan  
on February 19, 2015

PRESENT: Honorable Gerald E. Rosen  
Chief Judge, United States District Court

On January 12, 2015, Magistrate Judge R. Steven Whalen issued a Report and Recommendation ("R & R") recommending that the Court grant in part Plaintiff Darin Carl Martin's motion for summary judgment, deny the Defendant Commissioner of Social Security's motion for summary judgment, and remand this matter to the Defendant Commissioner under sentence four of 42 U.S.C. § 405(g) for further administrative proceedings. No objections have been filed to the R & R. Upon reviewing the R & R, the parties' underlying cross-motions for summary judgment, and the record as a whole, the Court concurs in the analysis of the Magistrate Judge, and adopts the R & R in its

entirety.

Accordingly,

NOW, THEREFORE, IT IS HEREBY ORDERED that the Magistrate Judge's January 12, 2015 Report and Recommendation (docket #17) is ADOPTED as the opinion of this Court. IT IS FURTHER ORDERED, for the reasons stated in the R & R, that Plaintiff's August 18, 2014 motion for summary judgment (docket #14) is GRANTED IN PART, and that Defendant's September 3, 2014 motion for summary judgment (docket #15) is DENIED. In accordance with these rulings, this case will be remanded to the Defendant Commissioner under sentence four of 42 U.S.C. § 405(g) for further proceedings consistent with the Magistrate Judge's R & R.

s/Gerald E. Rosen  
Chief Judge, United States District Court

Dated: February 19, 2015

I hereby certify that a copy of the foregoing document was served upon the parties and/or counsel of record on February 19, 2015, by electronic and/or ordinary mail.

s/Julie Owens  
Case Manager, (313) 234-5135